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October 10, 2000

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Magalie Roman Salas, Secretary
Federal Communications Commission
445 12th St., SW
Suite TW-A325
Washington, DC 20554

OCT 16 2000

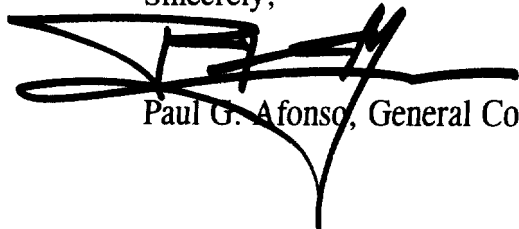
FCC MAIL ROOM

Re: Massachusetts Department of Telecommunications and Energy's Petition for
Delegation of Additional Authority to Implement Number Conservation
Measures in Massachusetts;
CC Docket No. 96-98, NSD File No. L-00-169

Dear Ms. Salas:

Enclosed for filing in the above matter please find one original and five copies of the Reply Comments of the Massachusetts Department of Telecommunications and Energy. Kindly stamp one copy and return it to us in the enclosed stamped, self-addressed envelope.

Sincerely,


Paul G. Afonso, General Counsel

Enclosure

cc: Aaron Goldberger, Common Carrier Bureau, Network Service Division (w/enc.)
Attached Service List (w/enc.)

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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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OCT 16 2000

FCC MAIL ROOM

In the Matter of)	
)	
Massachusetts Department of Telecommunications)	NSD File No. L-00-169
and Energy's Petition for Delegation of Additional)	
Authority to Implement Number Conservation Measures)	
)	
Implementation of the Local Competition)	CC Docket No. 96-98
Provisions of the Telecommunications Act of 1996)	

**REPLY COMMENTS OF
THE MASSACHUSETTS DEPARTMENT OF
TELECOMMUNICATIONS AND ENERGY**

The Massachusetts Department of Telecommunications and Energy ("MDTE") hereby files these comments in reply to comments to MDTE's Petition for Delegation of Additional Authority to Implement Number Conservation Measures filed with the Federal Communications Commission ("FCC") on August 3, 2000 ("Petition"). For the reasons set forth below, MDTE urges the FCC to dismiss the opposing comments to MDTE's Petition, and continues to urge that the FCC expeditiously take up and grant MDTE's Petition in its entirety.

In September 1999, the FCC delegated to the MDTE authority to undertake number conservation measures in the then-existing area codes in eastern Massachusetts.¹ Shortly thereafter, the MDTE determined that the need for additional area code relief in Massachusetts

¹ Massachusetts Department of Telecommunications and Energy's Petition for Waiver of Section 52.19 to Implement Various Area Code Conservation Methods in the 508, 617, 781, and 978 Area Codes, CC Docket No. 99-200, Order, 14 FCC Rcd 17447 (1999) ("Massachusetts Delegation Order").

was immediate and unavoidable and ordered the implementation of four relief codes in eastern Massachusetts.² In addition, since the FCC's Massachusetts Delegation Order, NeuStar, Inc., the North American Numbering Plan Administrator ("NANPA"), petitioned the MDTE for additional area code relief in western Massachusetts, currently served by the single 413 area code.³ The MDTE believes that conservation measures can delay or prevent the need for new area codes throughout Massachusetts. We seek a full-range of options available to us, to apply on a state-wide basis, as we work to conserve numbers in the interim until the FCC implements national conservation measures, to prevent or delay the need for Massachusetts to undergo the disruption and expense which attends the introduction of new area codes.

The comments filed in opposition to MDTE's request for interim pooling authority in the 413 area code and the new relief codes proffer arguments that have been consistently rejected by the FCC.⁴ Likewise, the positions put forth by commenters in opposition to

² Petition of Lockheed Martin IMS, the North American Numbering Plan Administrator, for Area Code Relief for the 508, 617, 781, and 978 Area Codes in Eastern Massachusetts, D.T.E. 99-11/99-99 (2000). The four new codes will be fully implemented by April 2, 2001.

³ Petition of NeuStar, Inc., as North American Numbering Plan Administrator and on behalf of the Massachusetts telecommunications industry, for area code relief for relief in the 413 area code in western Massachusetts, Order Opening Investigation, D.T.E. 00-64 (2000).

⁴ See Multi-State Delegation Order, CC Docket Nos. 99-200 and 96-98, NSD File Nos. L-99-100 et al., at ¶ 2 (rel. July 20, 2000) (granting the Arizona, Colorado, Iowa, Missouri, Nebraska, North Carolina, Oregon, Pennsylvania, Tennessee, Utah, Virginia and Washington Commissions authority to conduct interim thousands-block number pooling trials).

MDTE's request to hear and address claims for codes outside the rationing process and to maintain rationing procedures for six months following area code relief have been dismissed repeatedly in the FCC's past delegation orders.⁵ The remaining requests by MDTE in its Petition for interim authority are reasonable given the need for immediate conservation measures in the 413 area code and the new relief codes as described more fully in the MDTE Petition. Therefore, the MDTE urges the FCC to dismiss the comments filed in opposition to MDTE's Petition and requests that the FCC act expeditiously to grant MDTE's Petition in its entirety. However, quick action by the FCC is requested, even if the result is denial of all or a

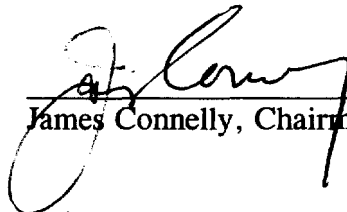
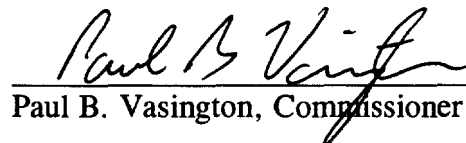
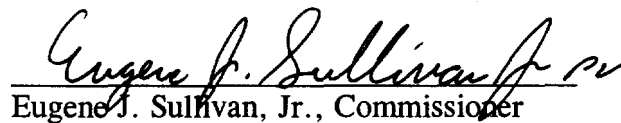
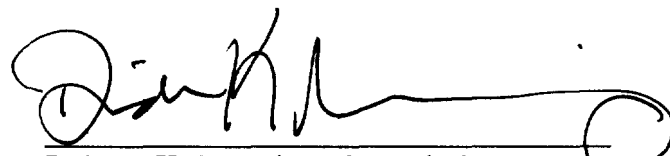
⁵ See id. (granting the Indiana, Missouri, North Carolina, Pennsylvania, Utah and Virginia Commissions the authority to maintain rationing procedures for six months following area code relief and the Missouri, North Carolina, and Virginia Commissions the authority to hear and address claims outside the rationing process).

portion of MDTE's requests, as an immediate response by the FCC is preferable to prolonged, but ultimately denied, hopes of state-wide number conservation authority in Massachusetts.

Respectfully submitted,

Commonwealth of Massachusetts
Department of Telecommunications and Energy

By:


James Connelly, Chairman
W. Robert Keating, Commissioner
Paul B. Vasington, Commissioner
Eugene J. Sullivan, Jr., Commissioner
Deirdre K. Manning, Commissioner

Before The
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20054

In the Matter of

Massachusetts Department of)	NSD File No. L-00-169
Telecommunications and Energy's)	
Petition for Delegation of Additional)	
Authority to Implement Number)	
Conservation Measures in)	
Massachusetts)	
)	
Implementation of the Local)	CC Docket No. 96-98
Competition Provisions of the)	
Telecommunications Act of 1996)	

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